THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 32313 OF 1998

Dated 9th April, 2007

Between:

Marupatla Susheela and others.

…Petitioners

And

The Executive Director, Scheduled Caste Corporation, Collectorate Buildings, Warangal, Warangal District and others.

…Respondents.

ORAL ORDER:

The petitioners numbering about 110, who are residents of Banda Authapuram, Reddypalem, Wardhannapet Mandal, Warangal District, filed this writ petition seeking directions by way of mandamus to the respondents to prepare the list of eligible landless harijan women based on the proportionate population of three villages, namely, Bandauthapuram, Nandanam and Reddypalem for extending the benefit of the scheme notified by the Government for providing lands to the value of Rs.30,000/- each.

During the year 1997-98, Government framed a policy to provide loans to an extent of Rs.30,000/- to each landless Scheduled Caste woman for purchase of the land. It is stated that for the purpose of extending the benefits under the scheme, the 3rd respondent-Mandal Revenue Officer had identified 80 Scheduled Caste women in Banda Authapuram village, 30 Scheduled Caste women from Reddypalem village and 80 Scheduled Caste women from Nandanam village and submitted his proceedings dated 25.11.1997 to the first respondent for approval. Alleging that when the matter stood thus, for political considerations, the number of beneficiaries in the said list is altered from 80 to 14 from Banda Authapuram village and increased the number of beneficiaries in the remaining two villages, the petitioners approached this court by filing Writ Petition No. 22110 of 1998 and this Court disposed of the said writ petition permitting the petitioners to make a representation, if they have any grievance in the implementation of the scheme, to the first respondent and the first respondent was directed to consider the same.

The case of the petitioners herein is that pursuant to the orders of this Court dated 24.8.1998 in Writ Petition No. 22110 of 1998, they submitted representation to the first respondent and they were issued notice by the first respondent asking them to be present in the Office of the first respondent on 24.10.1998 at 11.00 AM. But, however, this writ petition was filed on the ground that in spite of such a direction from this court in W.P.No.22110 of 1998, without examining their grievance, the respondents were taking steps for issuing pattas not in conformity with the list submitted by the third respondent.

The writ petition was filed in the year 1998 and at the stage of admission, this court granted status quo. So far, no counter affidavit has been filed by the respondents. There is also no representation on behalf of the respondents.

Whether the list of beneficiaries of the scheme is prepared in accordance with the scheme or not is a matter, which is required to be examined by the first respondent. In the absence of any clause in the scheme to enlist the beneficiaries in proportion of the population of the village, the petitioners cannot seek directions by way of mandamus for preparation of such a list. Moreover, in view of the earlier orders, while it is always open for the petitioners to represent before the first respondent as per the notice dated 20.10.1998, they cannot seek directions for preparation of list in proportion of the population of the village. That apart, after directions were issued by this Court in Writ Petition No.22110 of 1998, there is nothing on record to show as to the number of members identified in each of the villages. In that view of the matter, keeping it open for the petitioners to approach the competent authority for redressal of their grievance, the writ petition is

dismissed as devoid of merits. No costs.

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9-4-2007

R.SUBHASH REDDY, J.

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